

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ALEXANDER N. ASANOV, et al.,	:	CIVIL ACTION NO. 1:05-CV-2098
	:	
Plaintiffs	:	(Judge Conner)
	:	
v.	:	
	:	
GHOLSON, HICKS & NICHOLS, P.A.,	:	
et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 8th day of May, 2006, upon consideration of the report of the magistrate judge (Doc. 11), recommending the granting of defendants' motion to dismiss, and of plaintiffs' objections thereto (Doc. 12), and it appearing that the complaint (Doc. 1) sets forth claims against defendants who are located, and avers conduct which allegedly took place, out-of-state,¹ see Mellon Bank (E.) PSFS, N.A. v. DiVeronica Bros., Inc., 983 F.2d 551, 554 (3d Cir. 1993) ("[T]he plaintiff bears the burden of establishing either that the cause of action arose from the defendant's forum-related activities . . . or that the defendant has "continuous and systematic" contacts with the forum state"), and the court finding that defendants' contacts with this forum were neither continuous nor systematic, see Pinker v. Roche Holdings, Ltd., 292 F.3d 361, 369 n.1 (3d Cir. 2002) ("[General jurisdiction] is

¹ The complaint avers that attorney-defendants fraudulently instituted a law suit against plaintiffs in the United States District Court for the Northern District of Mississippi. (See Doc. 1.) See also Asanov v. Hunt, No. 05-CV-470 (M.D. Pa. May 8, 2006) (order of court dismissing claims in similar action brought by plaintiff).

established when a defendant's contacts with the forum are continuous and systematic." (quoting Internat'l Shoe Co. v. State of Washington, 326 U.S. 310, 317 (1945)), and that these claims were raised by plaintiffs before the United States District Court for the Northern District of Mississippi, see Asanov v. Hunt, No. 03-CV-0654, (N.D. Miss. Dec. 13, 2004) (Complaint for Declaratory Judgment); see also Asanov v. BioElectroSpec, Incorporated, No. 05-CV-0470 (M.D. Pa. Mar. 30, 2005) (Doc. 6), it is hereby ORDERED that:

1. The report of the magistrate judge (Doc. 11) is ADOPTED.
2. The complaint (Doc. 1) is DISMISSED for lack of jurisdiction. See FED. R. CIV. P. 12(b)(2).
3. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge